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DWCNewsline

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Division of Workers' Compensation issues third 15-day notice of revisions to proposed utilization review enforcement regulations

The Division of Workers' Compensation (DWC) has modified its regulations for utilization review enforcement. A third 15-day notice of modification was distributed to interested parties and the revised regulations are posted on the DWC Web site. Members of the public may comment on the revisions until 5 p.m. on Saturday, Mar. 24, 2007.

The proposed utilization review (UR) enforcement regulations are authorized by Labor Code section 4610, which requires every employer to have and use a UR process, and sets out timelines and conditions to be met whenever a request for authorization of medical treatment will be delayed, modified or denied.

The revisions include:

- A clarification that routine investigations will include a review of a stratified sample of randomly selected requests for authorization so that at least 50 percent of the randomly selected requests for authorization are denied requests
- A revision that the return target investigation shall be conducted within 18 months of the date of the previous investigation instead of no less than one year from the date of the previous investigation
- A simplification of the information that will be requested by the administrative director (AD) from the claims administrator or utilization review organization prior to the investigation
- Two new "a" penalties for failure to comply with the compliance requirements following an investigation
- A reduction of the penalty amount for failure of a non-physician reviewer, who approves an amended request, to possess an amended written request for treatment authorization.

Further information and the modified proposals can be found at

http://www.dir.ca.gov/dwc/DWCPropRegs/UREnforcementRegulations/UR_EnforcementRegulations.htm.

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